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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/426,143	10/22/1999	JOHN WAINWRIGHT	49658-034	1474

7590

07/29/2002

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EXAMINER

HARRISON, CHANTE E

ART UNIT

PAPER NUMBER

2672

DATE MAILED: 07/29/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/426,143

Applicant(s)

WAINWRIGHT, JOHN

Examiner

Chante Harrison

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 October 1999.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☐ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-5,7-9,12-16,18 and 19 is/are rejected.
- 7) ☐ Claim(s) 4,10,11,17 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Drawings***

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description: "210, 224, 250" and all references to FIG. 4. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.
2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: "200, 260", and all reference signs of FIG. 3. A proposed drawing correction, corrected drawings, or amendment to the specification to add the reference sign(s) in the description, are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1 and 8 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claimed subject matter is abstract in that it describes logical steps capable of being implemented without electronic processing.

**Claim Rejections - 35 USC § 102**

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-5, 7-9, 12-16, 18-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Jakob Nielsen, U.S. Patent 6,078,935, 6/2000.

As per independent claim 1, Perlin discloses detecting that a statement contains an operation identifier (col. 13, ll. 1-10), pattern-matching criteria (col. 13, ll. 1-10), and attribute identifier (col. 12, ll. 14-24; col. 13, ll. 1-10), and executing the statement by identifying all objects associated with identifiers that satisfy pattern matching criteria (col. 10, ll. 20-30), performing the operation on the objects (col. 10, ll. 24-30).

As per dependent claim 2, Perlin discloses a first character string (col. 10, ll. 50-60) containing a wild card character (col. 10, ll. 50-60) and that specifies pattern-matching criteria (col. 10, ll. 20-30).

As per dependent claim 3, Perlin discloses the first string of characters as part of a second string of characters (col. 11, ll. 30-35) and the second string of characters including an attribute identifier in a format that conforms to object-dot notation (col. 11, ll. 30-35).

As per dependent claim 4, Perlin discloses identifying a set of graphical components associated with identifiers... (col. 5, ll. 60-67), and performing an operation on the attribute of each component in the set (col. 6, ll. 15-47).

As per dependent claim 5, Perlin discloses a scripting language (col. 10, ll. 50-60) and a script processor (FIG. 5).

As per dependent claim 7, Perlin discloses the statement containing pattern matching criteria for a hierarchical identifier (col. 7, ll. 15-55).

As per independent claim 8, Perlin discloses identifying an attribute of a member of a collection of objects (col. 4, ll. 36-40). Claim 8 claims a method as claimed in claim 1, therefore the rejection of claim is 1 included herein.

As per dependent claims 9 and 19, Perlin discloses a collection of objects is an array (col. 7, ll. 40-54).

As per independent claim 12, Perlin discloses computer readable medium (col. 2, ll. 64-67) for detecting a statement contains an operation identifier (col. 13, ll. 1-10), pattern-matching criteria (col. 13, ll. 1-10), and attribute identifier (col. 12, ll. 14-24; col. 13, ll. 1-10), and executing the statement by identifying all objects associated with identifiers that satisfy pattern matching criteria (col. 10, ll. 20-30), performing the operation on the objects (col. 11, ll. 49-57).

As per dependent claims 13-16, refer to the above rejections as applied to claims 2-5, respectively.

As per independent claim 18, Perlin discloses computer readable medium (col. 2, ll. 64-67) for identifying an attribute of a member of a collection of objects (col. 4, ll. 36-40). Claim 18 claims computer readable medium as claimed in claim 12, therefore the rejection of claim 12 is included herein.

3. Claims 6, 10-11, 17 and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

***Conclusion***

Any inquiry concerning this communication or earlier communication from the examiner should be directed to Chante Harrison whose telephone number is (703) 305-3937.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Razavi, can be reached at (703) 305-4713.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.



**MICHAEL RAZAVI  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600**